

IN RE: PETITION FOR SPECIAL  
EXCEPTION & VARIANCE  
W/S Reisterstown Road, 1115'  
N of Stockdale Avenue  
(408 Reisterstown Rd.)  
4th Election District  
3rd Councilmanic District  
Broadus B. Whitlock, Jr.,  
et ux, Petitioners

\* BEFORE THE  
\* ZONING COM. JONER  
\* OF BALTIMORE COUNTY  
\* CASE #89-323 XA

FINDINGS OF FACTS AND CONCLUSIONS OF LAW

The Petitioner requests approval of a Special Exception for a Class B Office Building in an RO zone and Variances from Section 203.4C.4 to allow a side yard setback to a residentially used property of 6' in lieu of the required 20'; Section 203.4C.6 to allow a 0% interior parking lot amenity open space in lieu of the required 7%; Section 203.4C.8.C1 to allow a 6' landscape buffer on the north side of the building in lieu of the required 20'; Section 203.4C.8.C1 to allow a 0' landscape buffer on the south side of the building in lieu of the required 20', as more particularly described on Petitioners' Exhibit 4.

The Petitioner, Mr. Broadus B. Whitlock, Jr., appeared and testified and were represented by Arthur P. Caltrider, Jr., Esquire. The Petitioners were supported in their testimony by Mr. Leonard T. Bohager of McRee and Associates. There were no Protestants.

The Petitioner and his expert witness testified that the subject property is zoned R.O. and the lot is improved with a Class A office building. Petitioner's Exhibit 4 shows a lot of .30 acres improved with a two story frame building. The Property fronts on Reisterstown Road in Old Reisterstown near Glyndon Drive. The first floor of the current building is used as general offices. The second floor of the current building is used for both general offices and medical offices.

This arrangement complies with the 25% restriction concerning R.O. medical uses.

The Petitioner testified that, based on his professional experience, it was his opinion that the business would not cause any adverse impact and would not create traffic congestion over and above what already exists. He testified that the conditions delineated in Section 502.1 (B.C.Z.R.) will be satisfied by the proposed project.

Mr. Leonard Bohager testified that, in his opinion, the proposed use at the subject property would not be detrimental to the health, safety, and general welfare of the community, and that the conditions delineated in Section 502.1 of the B.C.Z.R. will be satisfied by the addition.

The Petitioner and his witness testified as to the requirements of Section 307.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) and stated the project complied with those requirements.

The issue in the Special Exception is whether or not the requirements of Section 502 of the B.C.Z.R. have been successfully met by the Petitioner. The cases clearly establish that "... the appropriate standard to be used in determining whether a requested special exception use would have an adverse affect and, therefore, should be denied is whether there are facts and circumstances that show the particular use, proposed at the particular location, would have any adverse affect above and beyond those inherently associated with such a special exception use irrespective of its location within the zone." Schultz v. Pritts, 291 Md. 1, 432 A.2d 1319 at 1327 (1981).

The Court went on to say in Schultz that,

"... the applicant has the burden of adducing testimony which will show that his use meets the

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ORDER RECOMMENDING FOR FILING  
Date 3/23/89  
By M. Deak

lieu of the required 20'; Section 203.4C.6 to allow a 0% interior parking lot amenity open space in lieu of the required 7%; Section 203.4C.8.C1 to allow a 6' landscape buffer on the north side of the building in lieu of the required 20'; Section 203.4C.8.C1 to allow a 0' landscape buffer on the south side of the building in lieu of the required 20', as more particularly described on Petitioners' Exhibit 4, he and the same is hereby GRANTED, subject to the following restrictions:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order, however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2. Compliance with the comments submitted by the Baltimore County Zoning Plans Advisory Committee (ZAC), which are adopted in their entirety and made a part of this Order.

3. When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

4. All parking lot lighting shall be no more than 10 feet above-grade. All exterior lighting shall be directed downward and shall not diffuse onto any residential property.

5. The Petitioner shall provide a landscape plan to the Office of Current Planning for approval by the Baltimore County Landscape Planner and said landscape plan shall then be submitted to the Zoning Commissioner for approval. The approved landscape plan shall become a permanent part of the record and file in this matter.

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ORDER RECOMMENDING FOR FILING  
Date 3/23/89  
By M. Deak

6. Upon request and reasonable notice, the Petitioner shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

J. Robert Hines  
J. ROBERT HINES  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY

JRH:mmm  
cc: Peoples Counsel  
Mr. Broadus B. Whitlock, 933 Shirley Manor, Reisterstown, Md. 21136  
Arthur Caltrider, Esquire, 405 N. Calvert St., Balto. Md. 21202  
Mr. Leonard T. Bohager, 5 Shawan Road, Hunt Valley, Md. 21030

ORDER RECOMMENDING FOR FILING  
Date 3/23/89  
By M. Deak

prescribed standards and requirements, he does not have the burden of establishing affirmatively that his proposed use would be a benefit to the community. If he shows to the satisfaction of the Board that the proposed use would be conducted without real detriment to the neighborhood and would not actually adversely affect the public interest, he has met his burden. The extent of any harm or disturbance to the neighboring area and uses is, of course, material. If the evidence makes the question of harm or disturbance or the question of the disruption of the harmony of the comprehensive plan of zoning fairly debatable, the matter is one for the Board to decide. But, if there is no probative evidence of harm or disturbance in light of the nature of the zone involved or of factors causing disharmony to the operation of the comprehensive plan, a denial of an application for a special exception use is arbitrary, capricious and illegal." (at pg.1325)

The Petitioner must only show to the satisfaction of the Zoning Commissioner that the proposed use would be conducted without real detriment to the community to meet his burden. See, Turner v. Hammond, 270 Md. 41, 310 A.2d 543 (1973). When the Petitioner produces credible and probative evidence on all of the specific issues established by Section 502.1, then a special exception should be granted.

In fact, the Petitioner has shown that the proposed use would be conducted without real detriment to the community and would not adversely affect the public good.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;

-3-

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 89-323-XA

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 203.4C.4 to allow a side yard setback to a residentially used property of 6' in lieu of the required 20 feet.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I, or we, do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:  
(Type or Print Name)  
Signature  
Address  
City and State

Legal Owner(s):  
(Type or Print Name)  
Signature  
Address  
City and State

Attorney for Petitioner:  
(Type or Print Name)  
Signature  
Address  
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted  
Name  
Address  
City and State

ORDERED By The Zoning Commissioner of Baltimore County, this 23rd day

of 1989, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 14th day of Feb., 1989, at 10:30 o'clock A.M.

J. Robert Hines  
Zoning Commissioner of Baltimore County.

PREPARED UNDER THE PROVISIONS OF THE  
BALTIMORE COUNTY ZONING LAW  
AND THE BALTIMORE COUNTY ZONING REGULATIONS  
AND THE BALTIMORE COUNTY ZONING COMMISSIONER'S  
ORDINANCES AND RESOLUTIONS  
DATE 3/23/89  
BY M. Deak

2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and

3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the variances were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variances requested will not be detrimental to the public health, safety and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on the Petitions held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED, by the Zoning Commissioner of Baltimore County, Maryland, this 23rd day of March, 1989 that the Petition for Special Exception for a Class B Office Building in an RO zone and Petition for Zoning Variances from Section 203.4C.4 to allow a side yard setback to a residentially used property of 6' in

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ORDER RECOMMENDING FOR FILING  
Date 3/23/89  
By M. Deak

Supplemental sheet for zoning hearing at 408 Reisterstown Road.

VARIANCE REQUESTS

1. Variance from Section 203.4C.4 to allow a sideyard setback to a residentially used property of 6 feet in lieu of the required 20 feet.
2. Variance from Section 203.4C.6 to allow a zero (0) percent interior parking lot amenity open space in lieu of the required seven (7) percent.
3. Variance from Section 203.4C.8.C1 to allow a six (6) foot landscape buffer on the north side of the building in lieu of the required twenty (20) feet.
4. Variance from Section 203.4C.8.C1 to allow a zero (0) foot landscape buffer on the south side of the building in lieu of the required twenty (20) feet.

=211







CRG Summary  
The Whitlock Building  
Page 2

Storm Water Management - Developer must show easement as required for water quality area on plan before CRG signature.

County staff comments were then reviewed:

State Highway Administration - 80-foot right-of-way is already shown on the plan.

Planning and Zoning - Whether amended RO zoning regulations will apply will be addressed at the zoning hearing. Both the Landmarks Commission and Mr. Kern's office agree that the development meets the test of compatibility required under current RO regulations.

Storm Water Management - Developer will show easement as required.

CONCLUSION: The plan was approved, the appeal process was explained, and the meeting was adjourned at 10:30 a.m.

**CERTIFICATE OF POSTING**  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

89-323-XA

District: 4th Date of Posting: 1-23-89  
Posted for: Special Exception & Zoning Variance  
Petitioner: Brookus B. Whitlock, Jr. et al.  
Location of property: West side of Reisterstown Road, 1115' N of the CR of Chesapeake Ave. (400' Reisterstown Road)  
Location of Sign: On front of 400' Reisterstown Road

Remarks: \_\_\_\_\_  
Posted by: [Signature] Date of return: 1-27-89  
Number of Signs: 2

**LANDMARK COMMUNITY N**

Westmi

THIS IS TO CERTIFY that was published for.....(1)..... to the.....day of.....

- ☐ Carroll County  
☐ in  
☐ Randallstown Ne  
☒ Community Time

LANDMARK COMMUNITY NE

**CERTIFICATE OF PUBLICATION**

TOWSON, MD, January 27, 1989

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on January 26, 1989

THE JEFFERSONIAN,

S. Zabe Olson  
Publisher

PO 09024  
reg M25903  
case 89-323-XA  
price \$49.25

**NOTICE OF HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue, Towson, Maryland 21204, at 10:30 a.m.

Petitions for Special Exception and Zoning Variance  
Case Number: 89-323-XA  
W/S Reisterstown Road, 1115' N c/l Stockdale Avenue  
400 Reisterstown Road  
4th Election District - 3rd Councilmanic  
Petitioner(s): Brookus B. Whitlock, Jr., et al.  
HEARING SCHEDULED: TUESDAY, FEBRUARY 14, 1989 at 10:30 a.m.

Special Exception: A Class "B" office building in an RO zone.  
Variance to allow a sidewalk setback to a residentially used property of 5 feet in lieu of the required 20 feet; to allow a zero percent interior parking lot amenity open space in lieu of the required seven percent; to allow a six ft. landscape buffer on the north side of the building in lieu of the required twenty ft.; to allow a zero ft. landscape buffer on the south side of the building in lieu of the required twenty ft.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES  
Zoning Commissioner of Baltimore County  
01/30 Jan. 89

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
494-3333

J. Robert Haines  
Zoning Commissioner

Date: 1/30/89

Mr. & Mrs. Brookus B. Whitlock, Jr.  
408 Main Street  
Reisterstown, Maryland 21136

Re: Petitions for Special Exception and Zoning Variance  
CASE NUMBER: 89-323-XA  
W/S Reisterstown Road, 1115' N c/l Stockdale Avenue  
400 Reisterstown Road  
4th Election District - 3rd Councilmanic  
Petitioner(s): Brookus B. Whitlock, Jr., et al.  
HEARING SCHEDULED: TUESDAY, FEBRUARY 14, 1989 at 10:30 a.m.

Dear Mr. & Mrs. Whitlocks:

Please be advised that \$114.26 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

DATE: 2/14/89 ACCOUNT: 89-323-XA No. 000774

RECEIVED FROM: Brookus B. Whitlock, Jr. AMOUNT: \$ 114.26

FOR: P.A. 2/14/89

VALIDATION OR SIGNATURE OF CASHIER

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
494-3333

J. Robert Haines  
Zoning Commissioner

January 12, 1989

**NOTICE OF HEARING**



Dennis F. Rasmussen  
County Executive

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petitions for Special Exception and Zoning Variance  
CASE NUMBER: 89-323-XA  
W/S Reisterstown Road, 1115' N c/l Stockdale Avenue  
400 Reisterstown Road  
4th Election District - 3rd Councilmanic  
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Variance to allow a sidewalk setback to a residentially used property of 5 feet in lieu of the required 20 feet; to allow a zero percent interior parking lot amenity open space in lieu of the required seven percent; to allow a six ft. landscape buffer on the north side of the building in lieu of the required twenty ft.; to allow a zero ft. landscape buffer on the south side of the building in lieu of the required twenty ft.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines

J. ROBERT HAINES  
Zoning Commissioner of Baltimore County  
cc: Brookus B. Whitlock, Jr.  
Richard B. Isaac, Esq.  
File

RICHARD B. ISAAC  
ATTORNEY AT LAW  
P.O. Box 554  
REISTERSTOWN, MARYLAND 21136  
Telephone 555-2118

Baltimore County Zoning Commissioner  
Office of Planning and Zoning  
Towson, Maryland 21204

January 26, 1989

RE: CASE NUMBER: 89-323-XA  
HEARING SCHEDULED: TUESDAY, FEBRUARY 14, 1989 at 10:30 a.m.

Dear Mr. Commissioner:

This is to notify you that I have a conflict in scheduling with this case. The Petitioner, Mr. Brookus B. Whitlock, Jr., does not want to request a new hearing date, therefore, I am withdrawing from the case. Mr. Whitlock has employed the firm of Allevat & Murphy, P.A., Arthur P. Caltrider, Jr., Esquire, to represent him in this matter. By a copy of this letter I am requesting Mr. Caltrider to enter his appearance.

Very truly yours,  
[Signature]  
Richard B. Isaac

RBI:hok  
cc: Brookus B. Whitlock, Jr.  
cc: Allevat & Murphy, P.A.  
cc: Arthur P. Caltrider, Jr.

RECEIVED  
JAN 30 1989

ZONING OFFICE

**PETITIONER'S EXHIBIT 1**





89-323-XA  
BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Your petition has been received and accepted for filing this  
30th day of November, 1988.

*J. Robert Haines*  
J. ROBERT HAINES  
ZONING COMMISSIONER  
Petitioner: Broadus B. Whitlock, Jr. et ux  
Petitioner's Attorney: Richard B. Isaac, Esquire

BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL  
PROTECTION AND PLANNING

RECEIVED  
DEC 15 1988

Zoning Commissioner  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

Zoning Item #211, Zoning Advisory Committee Meeting of Dec 6, 1988  
Property Owner: Broadus B. Whitlock, Jr. et ux  
Location: 408 Reisterstown Rd. District 4  
Water Supply: mto Sewage Disposal: mto

COMMENTS ARE AS FOLLOWS:

- ( ) Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Bureau of Regional Community Services, for final review and approval.
- ( ) Prior to new installation of fuel burning equipment, the owner shall contact the Bureau of Air Quality Management, 494-3775, to obtain requirements for such installations before work begins.
- ( ) A permit to construct from the Bureau of Air Quality Management is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- ( ) A permit to construct from the Bureau of Air Quality Management is required for any charcoal-broiler operation which has a total cooking surface area of five (5) square feet or more.
- ( ) Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- ( ) Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, sauna, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety, two (2) copies of plans and specifications must be submitted for review to the Baltimore County Department of Environmental Protection and Resource Management for review and approval. For more complete information, contact the Recreational Hygiene Section, Bureau of Regional Community Services, 494-3811.
- ( ) Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- ( ) If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with the State Department of the Environment.
- ( ) Prior to raising of existing structure/s, petitioner must contact the Division of Waste Management, 494-3789, regarding removal and/or disposal of potentially hazardous materials and solid wastes. Petitioner must contact the Bureau of Air Quality Management regarding removal of asbestos, 494-3775.
- ( ) Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and tank removal from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Waste Management at 494-3788.
- ( ) Soil percolation tests, have been conducted. The results are valid until 1/1/89. Soil percolation test results have expired. Petitioner should contact the Division of Water and Sewer to determine whether additional tests are required.
- ( ) Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- ( ) In accordance with Section 13-117 of the Baltimore County Code, the water well yield test ( ) shall be valid until 1/1/89. If not acceptable and must be retried. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.

Prior to occupancy approval, the probability of the water supply must be verified by collection of bacteriological and chemical water samples.

If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted.

There \_\_\_\_\_

*J. Robert Haines*  
BUREAU OF WATER QUALITY AND RESOURCE  
MANAGEMENT

Baltimore County  
Department of Public Works  
Bureau of Traffic Engineering  
County Office Building  
Courts Building, Suite 405  
Towson, Maryland 21204  
(301) 887-3554

Mr. J. Robert Haines  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for item numbers 174, 192, 202, 204, 206, 208, 211, 212, 213, and 214.

Baltimore County  
Fire Department  
Towson, Maryland 21204-2586  
494-4500

Paul H. Reincke  
Chief

December 29, 1988

J. Robert Haines, Zoning Commissioner  
Office of Planning & Zoning  
Baltimore County Office Building  
Towson, Maryland 21204

Re: Property Owner: Broadus B. Whitlock, Jr., et ux

Location: W/S of Reisterstown Rd., 1,115' N. of c/1 of  
Stockdale Avenue

Item No.: 211 Zoning Agenda: Meeting of 12/6/88

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- ( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals or \_\_\_\_\_ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- ( ) 2. A second means of vehicle access is required for the site.
- ( ) 3. The vehicle dead end condition shown at \_\_\_\_\_ EXCEEDS the maximum allowed by the Fire Department.
- ( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.
- ( ) 6. Site plans are approved, as drawn.
- ( ) 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *Pat Keller*  
Planning Group  
Special Inspection Division

NOTED & APPROVED: *John E. O'Neill*  
Fire Prevention Bureau

/s/

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: January 24, 1989  
FROM: Robert W. Bowling, P.E.  
RE: Meeting of December 13, 1988

The Developers Engineering Division has reviewed the zoning items for the subject meeting. We have no comments for Items 200, 212, 234 and 235.

Attached are our comments for Items 200 and 215.

*Robert W. Bowling*  
ROBERT W. BOWLING, P.E. Chief  
Developers Engineering Division

ALLEWALT & MURPHY, P.A.

DONALD L. ALLEWALT  
EDWARD P. MURPHY  
JAMES Y. BARTLEY III  
DANIEL J. DIEGER, JR.  
ARTHUR P. CALTRIDER, JR.  
WILLIAM CALLEN FRIEDELL

305 N. CALVERT STREET  
BALTIMORE, MD 21202-3798  
(301) 727-6205  
FAX NO. (301) 625-4997

February 8, 1989

Baltimore County Zoning Commissioner  
Office of Planning and Zoning  
Towson, MD 21204

Re: Case No. 89-323-XA  
Broadus B. Whitlock, Jr.

Dear Mr. Commissioner:

Please enter the appearance of undersigned counsel on behalf of the Petitioner, Broadus B. Whitlock, Jr.

Very truly yours,

*Arthur P. Caltrider, Jr.*  
ARTHUR P. CALTRIDER, JR.

APCjr:dg

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

February 3, 1989

COUNTY OFFICE BLDG.  
111 W. Chesapeake Ave.  
Towson, Maryland 21204

MEMBERS  
Bureau of Engineering,  
Department of  
Traffic Engineering  
State Roads Commission  
Bureau of  
Fire Prevention  
Health Department  
Project Planning  
Building Department  
Bureau of Education  
Zoning Administration  
Industrial  
Development

Richard B. Isaac, Esquire  
P.O. Box 554  
Reisterstown, MD 21136

RE: Item No. 211, Case No. 89-323-XA  
Petitioner: Broadus B. Whitlock, Jr., et ux  
Petition for Zoning Variance & Special Exception

Dear Mr. Isaac:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

*James E. Dyer*  
JAMES E. DYER  
Chairman  
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Mr. & Mrs. Broadus B. Whitlock, Jr.  
408 Main Street  
Reisterstown, MD 21136

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines  
Zoning Commissioner  
FROM: Pat Keller, Deputy Director  
Office of Planning and Zoning  
SUBJECT: Broadus B. Whitlock, Jr.  
Zoning Petition No. 89-323-XA

Date: February 2, 1989

The applicant is requesting a special exception to establish a Class B office building in an R.O. zone. The variances are being requested to bring the proposed structure into compliance with Bill 88-151 that significantly revised the R.O. zone. In reference to this request, staff provides the following information:

- The project received CRG approval on 10/27/88 which preceded the new R.O. zone legislation. At that time, staff worked with the applicant to 1) secure a good building design; 2) retain existing trees; and 3) maintain an adequate rear yard buffer.
- Staff recognizes that certain projects will straddle the new R.O. zone legislation. In this particular case, the applicant has a good building design, a floor area ratio of .25 and maintained existing vegetation and good proportion of amenity open space. The resubmittal of this project through the CRG process and subsequent review would not serve any significant purpose.

PK/ef

RECEIVED  
FEB 2 1989  
ZONING OFFICE



Maryland Department of Transportation  
State Highway Administration

Richard H. Trainor  
Secretary  
Hal Kassoff  
Administrator

December 14, 1988

Mr. J. Robert Haines  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204  
Att: James Dyer

Re: Baltimore County  
Broadus B. Whitlock  
Property  
Zoning Meeting 12/6/88  
S/S Reisterstown Road  
1,115' west of the  
centerline of  
Stockdale Avenue  
Item #211

Dear Mr. Haines:

After reviewing the submittal for the Whitlock Building, we find the plan acceptable showing a future 80' right-of-way on Reisterstown Road.

If you have any questions, contact Larry Brocato (333-1350).

Very truly yours,

*Gregory J. Mills, Jr.*  
Gregory J. Mills, Jr.  
Chief Bureau of Engineering  
Access Permits

LB/es

cc: McKee and Associates Inc.  
Mr. J. Ogle

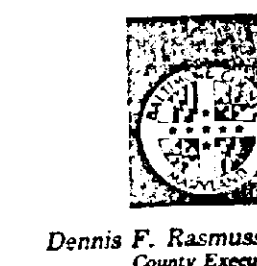
RECEIVED  
DEC 16 1988  
ZONING OFFICE

My telephone number is (301) 333-1350

Teletypewriter for Impaired Hearing or Speech  
383-7555 Baltimore Metro - 565-0431 D.C. Metro - 1-800-492-1062 Statewide Toll Free  
707 North Calvert St., Baltimore, Maryland 21203-0717

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3333  
J. Robert Haines  
Zoning Commissioner

March 22, 1989



Arthur Caltrider, Esquire  
805 North Calvert Street  
Baltimore, Maryland 21202

RE: Petitions for Special Exception and Zoning Variance  
Case #88-323XA  
Broadus B. Whitlock, Jr.  
Petitioner

Dear Mr. Caltrider:

Enclosed please find the decision rendered in the above captioned case. The Petition has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 494-3391.

*J. Robert Haines*  
J. Robert Haines  
Zoning Commissioner

JRH:mmm

cc: Peoples Counsel  
Mr. Broadus B. Whitlock, 933 Shirley Manor, Reisterstown, Md. 21136  
Mr. Leonard T. Bohager, 5 Shawan Road, Hunt Valley, Md. 21030



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|-----------------------------|---------------------|
| PUBLIC SERVICE CRG NR 88165 | PLANNING NO. IV-350 |
|-----------------------------|---------------------|